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Attorneys for Defendant
H. THOMAS MORAN, II, Court-Appointed
Receiver of LYDIA CAPITAL, LLC

UNITED STATES DISTRICT COURT OF CALIFORNIA

SOUTHERN DIVISION

AXA EQUITABLE LIFE INSURANCE
COMPANY,

Plaintiff,

v.

H. THOMAS MORAN, II, Court-
Appointed Receiver of LYDIA CAPITAL,
LLC, and DAWSON & OZANNE, as
Trustee of the Alvin Fischbach Irrevocable
Trust,

Defendants.

Case No. 3:08-cv-00569-BTM (BLM)

**JOINT MOTION FOR EXTENSION OF
TIME FOR DEFENDANTS H.
THOMAS MORAN, II, AND DAWSON
& OZANNE TO ANSWER OR
OTHERWISE RESPOND TO
PLAINTIFF AXA EQUITABLE LIFE
INSURANCE COMPANY'S
COMPLAINT**

Plaintiff AXA Equitable Life Insurance Company ("AXA Equitable") and Defendants H.
Thomas Moran, II, Court-Appointed Receiver of Lydia Capital, LLC ("Mr. Moran") and Dawson &
Ozanne hereby submit this Joint Motion for Extension of Time for Defendants Mr. Moran and
Dawson & Ozanne to Answer or Otherwise Respond to Plaintiff's Complaint, and in support thereof,
aver as follow:

- 1 1. On September 4, 2008, the parties met to discuss settlement of this matter. AXA and the
2 Receiver have reached a tentative settlement agreement and are in the process of negotiating
3 the terms of the settlement agreement.
- 4 2. In this light, and in order to allow the parties additional time to conclude their negotiations,
5 AXA Equitable, Mr. Moran, and Dawson & Ozanne respectfully move this Court for an
6 extension until September 26, 2008 for Mr. Moran and Dawson & Ozanne to answer or
7 otherwise respond to AXA Equitable's Complaint.
- 8 3. AXA Equitable, Mr. Moran and Dawson & Ozanne have previously requested, and the Court
9 has granted, extensions for the defendants to answer or otherwise respond to AXA
10 Equitable's Complaint.

11 WHEREFORE, AXA Equitable Life Insurance Company, Mr. Moran, and Dawson &
12 Ozanne respectfully request that the Court grant this Joint Motion for an extension until
13 September 26, 2008 for Defendants Mr. Moran and Dawson & Ozanne to answer or otherwise
14 respond to Plaintiff's Complaint.
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18 Dated: September 9, 2008
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1
2 /s/ James A. Tabb

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15 H. THOMAS MORAN II, Court-

Appointed Receiver for Lydia Capital, LLC

17 I, Shannon Emmons, am the ECF User whose identification and password are being used to file this
18 Joint Motion for Extension of Time. In compliance with Electronic Case Filing Administrative
19 Policies and Procedures Manual Section 2, f. 4., I hereby attest that S. Fey Epling and James A. Tabb
have concurred in this filing.

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21 September 9, 2008

22 s/ Shannon K. Emmons

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